



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/817,386         | 04/01/2004             | John Belbute          | 16319.07429            |

00758  
 FENWICK & WEST LLP  
 SILICON VALLEY CENTER  
 801 CALIFORNIA STREET  
 MOUNTAIN VIEW, CA 94041

**RECEIVED****JUN 24 2004****FENWICK & WEST LLP**

CONFIRMATION NO. 2895

FORMALITIES LETTER



\*OC000000013013827\*

Date Mailed: 06/21/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

07/27/2004 BABRAH1 00000014 10817386

01 FC:1051

130.00 OP

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

E. J. J. J.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202


PART 2 - COPY TO BE RETURNED WITH RESPONSE



| ENCLOSURES (check all that apply)  |   |
|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)          | <input type="checkbox"/> Issue Fee Transmittal                                      |
| <input checked="" type="checkbox"/> Check Enclosed                               | <input type="checkbox"/> Letter to Chief Draftsperson                               |
| <input checked="" type="checkbox"/> Return Receipt Postcard                      | <input type="checkbox"/> Formal Drawing(s):   |
| <input checked="" type="checkbox"/> Response to Notice to File Missing Parts     | <input type="checkbox"/> [ ] Sheet(s) of Figure(s) [ ]                              |
| <input checked="" type="checkbox"/> Notice to File Missing Parts                 | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Combined Declaration and Power of Attorney   | <input type="checkbox"/> Appeal Communication to Group                              |
| <input type="checkbox"/> Power of Attorney                                       | <input type="checkbox"/> (Appeal Notice, Brief, Reply Brief)                        |
| <input type="checkbox"/> Application Data Sheet                                  | <input type="checkbox"/> Certified Copy of Priority Document(s)                     |
| <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A           | <input type="checkbox"/> After Allowance Communication to Group                     |
| <input type="checkbox"/> <input type="checkbox"/> Copies of IDS Cited References | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Request for Corrected Filing Receipt                    | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Request for Correction of Recorded Assignment           | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Amendment/Response: [ ] Page(s)                         | <input type="checkbox"/> _____  |
| <input type="checkbox"/> <input type="checkbox"/> After Final                    | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Status Request  | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney             | <input type="checkbox"/> _____  |

|                                       |                                  |        |  |
|---------------------------------------|----------------------------------|--------|--|
| <b>SIGNATURE OF ATTORNEY OR AGENT</b> |                                  |        |  |
| Signature:                            |                                  |        |  |
| Attorney/Reg. No.:                    | Qin Shi, Ph.D., Reg. No.: 52,220 | Dated: |  |

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

|   |  |   |                |
|---|--|---|----------------|
| Signature:                              |  |  |                |
| Typed or Printed Name:                  |  | Qin Shi, Ph.D.  | Dated: 7/21/04 |
| Express Mail Mailing Number (optional): |  |   |                |



# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 130.00

## Complete if Known

|                      |                 |
|----------------------|-----------------|
| Application Number   | 10/817,386      |
| Filing Date          | April 1, 2004   |
| First Named Inventor | John L. Belbute |
| Examiner Name        | Not yet known   |
| Art Unit             | 2857            |
| Attorney Docket No.  | 16319-07429     |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number **19-2555**

Deposit Account Name **Fenwick & West LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity/Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001     | 770      | 2001     | 385      | Utility filing fee     |          |
| 1002     | 340      | 2002     | 170      | Design filing fee      |          |
| 1003     | 530      | 2003     | 265      | Plant filing fee       |          |
| 1004     | 770      | 2004     | 385      | Reissue filing fee     |          |
| 1005     | 160      | 2005     | 80       | Provisional filing fee |          |

**SUBTOTAL (1) (\$)** -0-

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | -20** =      | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

Large Entity/Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description   |
|----------|----------|----------|----------|---|
| 1202     | 18       | 2202     | 9        | Claims in excess of 20                                    |
| 1201     | 86       | 2201     | 43       | Independent claims in excess of 3                         |
| 1203     | 290      | 2203     | 145      | Multiple dependent claim, if not paid                     |
| 1204     | 86       | 2204     | 43       | **Reissue independent claims over original patent         |
| 1205     | 18       | 2205     | 9        | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2) (\$)** -0-

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |          |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for, ex parte reexamination                           |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |          |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |          |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |          |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |          |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |          |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |          |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |          |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |          |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |          |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(g)  |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) (\$)** 130.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)

Qin Shi, Ph.D.

Registration No.  
(Attorney/Agent)

52,220

Complete (if applicable)

Telephone (650) 335-7127

Signature

Date

7/21/04



PATENT

IN THE UNITED STATES

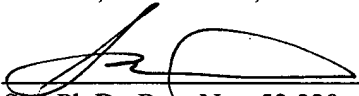
PATENT AND TRADEMARK OFFICE

APPLICANT: John L. Belbute  
APPLICATION NO.: 10/817,386  
FILING DATE: April 1, 2004  
TITLE: Software Testing Based on Changes in Execution Paths  
EXAMINER: Not yet known  
GROUP ART UNIT: 2857  
ATTY. DKT. NO.: 16319-07429

**CERTIFICATE OF MAILING**

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Dated: 7/21/04

By:   
Qin Shi, Ph.D., Reg. No.: 52,220

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**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION**

SIR:

Responsive to the Notice to File Missing Parts dated June 21 received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Combined Declaration and Power of Attorney;
- ☒ payment in the amount of \$130.00 for the
  - ☒ missing parts surcharge.

☐ Other

**PATENT**

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
JOHN L. BELBUTE

Dated: 7/21/04

By:   
Qin Shi, Ph.D.

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